

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

FREDERICK HAMILTON BANKS, #05711-068

PETITIONER

VERSUS

CIVIL ACTION NO. 5:07cv38-DCB-MTP

WARDEN CONSTANCE REESE, et al.

RESPONDENTS

ORDER

This cause comes before the court, *sua sponte*. Having considered the issues presented by the petitioner in the instant petition and in light of *Tischendorf v. Van Buren*, No. 07-11262 (5<sup>th</sup> Cir. Dec. 11, 2007) pending before the United States Court of Appeals for the Fifth Circuit, this court has determined that this civil action shall be stayed pending the Fifth Circuit's decision in *Tischendorf v. Van Buren*.

SO ORDERED, this the 9<sup>th</sup> day of January, 2008.

s/ David Bramlette  
UNITED STATES DISTRICT JUDGE